This listing of claims will replace all prior versions, and listing, of claims in the application.

Listing of Claims:

1. **(Currently Amended)** A pharmaceutical composition comprising metaxalone in a pharmaceutically acceptable solubility-improved form and at least one pharmaceutically acceptable excipient, characterized in that the pharmaceutical composition has enhanced oral bioavailability as compared to the ~~conventional~~ pharmaceutical composition of metaxalone ~~available commercially~~ corresponding to New Drug Application No. 13-217 when they are administered ~~without food~~ to a patient ~~who has fasted~~ on an empty stomach.

2. **(Cancelled)**

3. **(Currently Amended)** A pharmaceutical composition as claimed in claim ~~2~~ 1, wherein the solubility-improved form is micronized metaxalone.

4. **(Currently Amended)** A pharmaceutical composition as claimed in claim ~~2~~ 1, wherein the solubility-improved form is a salt form of metaxalone.

5. **(Currently Amended)** A pharmaceutical composition as claimed in claim ~~2~~ 1, wherein the solubility-improved form is a crystalline form of metaxalone.

6. **(Currently Amended)** A pharmaceutical composition as claimed in claim ~~2~~ 1, wherein the solubility-improved form is amorphous metaxalone.

7. **(Original)** A pharmaceutical composition as claimed in claim 1, wherein the composition comprises a mixture of metaxalone and a solubilizing agent.

8. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1, wherein the metaxalone comprises the following particle size distribution characteristics: 99% undersize value between 10 and 40μm in diameter, characterised in that the pharmaceutical composition has enhanced oral bioavailability.

9. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1, wherein the metaxalone has specific surface area per unit volume of more than $1.5m^2/cm^3$.

10. **(Previously Presented)** A pharmaceutical composition as claimed in claim 9, wherein the metaxalone has specific surface area per unit volume of more than $2.5m^2/cm^3$.

11. **(Previously Presented)** A pharmaceutical composition as claimed in claim 10, wherein the metaxalone has specific surface area per unit volume of more than $3.0m^2/cm^3$.

12. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1, wherein the metaxalone comprises the following particle size distribution characteristics: 99% undersize value of 40μm, 90% undersize value of 30μm, and 50% undersize value of 10μm.

13. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1, wherein the metaxalone comprises the following particle size distribution characteristics: 99% undersize value of 30μm, 90% undersize value of 14μm, and 50% undersize value of 6μm.

14. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1, wherein the metaxalone comprises the following particle size distribution characteristics: 99% undersize value of 10μm, 90% undersize value of 5μm, and 50% undersize value of 3μm.

15. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1, wherein the amount of metaxalone is in the range of 400mg to 1600mg.

16. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1, wherein the pharmaceutically acceptable excipient comprises a wetting agent.

17. **(Previously Presented)** A pharmaceutical composition as claimed in claim 16, wherein the wetting agent comprises a surfactant.

18. **(Previously Presented)** A pharmaceutical composition as claimed in claim 17, wherein the surfactant comprises sodium lauryl sulfate.

19 – 22 **(Cancelled)**

23. **(Previously Presented)** A pharmaceutical composition as claimed in claim 1 wherein the pharmaceutical composition further comprises an analgesically effective amount of a non-steroidal anti-inflammatory drug, wherein said nonsteroidal anti-inflammatory drug comprises a propionic acid derivative, acetic acid derivative, fenamic acid derivative, biphenylcarboxylic acid derivative or an oxicam, or the pharmaceutically acceptable salts thereof.

24. **(Cancelled)**

25. **(Cancelled)**

26. **(Cancelled)**

27. **(Previously Presented)** A pharmaceutical composition comprising metaxalone and at least one pharmaceutically acceptable excipient, wherein at least 99% of the metaxalone has a particle size not more than about 10μm in diameter.

28. **(Cancelled)**